

Notice of Allowability

Application No.
09/194,930

Applicant(s)

Thomas et al.

Examiner
Joseph A. Cadugan

Group Art Unit
3736



All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

☒ This communication is responsive to amendment B, paper No. 8, filed 5 September 2000

☒ The allowed claim(s) is/are 1-14 and 16-29

☐ The drawings filed on _____ are acceptable.

☒ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☒ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____

☒ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

A SHORTENED STATUTORY PERIOD FOR RESPONSE to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION, PTO-152, which discloses that the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.

☐ Applicant MUST submit NEW FORMAL DRAWINGS

☐ because the originally filed drawings were declared by applicant to be informal.

☐ including changes required by the Notice of Draftsperson's Patent Drawing Review, PTO-948, attached hereto or to Paper No. _____

☐ including changes required by the proposed drawing correction filed on _____, which has been approved by the examiner.

☐ including changes required by the attached Examiner's Amendment/Comment.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any response to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE/SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

Attachment(s)

☐ Notice of References Cited, PTO-892

☐ Information Disclosure Statement(s), PTO-1449, Paper No(s). _____

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

☒ Interview Summary, PTO-413

☒ Examiner's Amendment/Comment

☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material

☒ Examiner's Statement of Reasons for Allowance

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FORMAL EXAMINER'S AMENDMENT

Examiner's Amendment

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Samuel Layton on 20 November 2000.

2. The application has been amended as follows:

In claim 1, line 5, the word "said" has been replaced by the word --the--.

In claim 14, line 4, the word "intermittant" has been replaced by the word --intermittent--.

In claim 16, line 1, the number "15" has been changed to --14--.

In claim 17, line 1, the number "15" has been changed to --14--.

In claim 21, line 1, the number "15" has been changed to --14--.

In claim 22, line 1, the number "15" has been changed to --14--.

In claim 23, line 1, the number "15" has been changed to --14--.

Claims 30 and 31 have been canceled.

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Reasons for Allowance

3. The following is an examiner's statement of reasons for allowance: the prior art neither teaches nor suggests the use of specific low-frequency, electromagnetic fields, having a plurality of intermittent waveforms, to entrain target tissue for the treatment of physiological, neurological, and behavioral disorders.


Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Contact Information

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph A. Cadugan, whose telephone number is (703) 305-0879. The examiner can normally be reached Monday through Thursday and alternate Fridays from 7:30 am to 5:00 pm Eastern Time. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Cary O'Connor, can be reached at (703) 308-2701. Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 3700 receptionist, whose telephone number is (703) 308-0858.

JAC

November 21, 2000


JOHN P. LACYK
PRIMARY EXAMINER